

**MINUTES OF THE**  
**SENATE GOVERNMENT OPERATIONS AND POLITICAL SUBDIVISIONS**  
**STANDING COMMITTEE**  
Room 415, Utah State Capitol  
February 26, 2014

**Members Present:** Sen. Margaret Dayton, Chair  
Sen. Luz Robles  
Sen. Brian E. Shiozawa  
Sen. Daniel W. Thatcher  
Sen. Kevin T. Van Tassell

**Members Excused:** Sen. Lyle W. Hillyard  
President Wayne L. Niederhauser

**Staff Present:** Rich North, Policy Analyst  
Karen C. Allred, Committee Secretary

**NOTE:** A list of visitors and a copy of handouts are filed with the committee minutes.

Chair Dayton called the meeting to order at 4:18 p.m.

**S.B. 179 Procurement Revisions (*Sen. Jenkins*)**

Sen. Jenkins explained the bill to the committee.

Spoke to the bill: Kent Beers, Director of Purchasing, Utah Department of Administrative Services

Spoke for the bill: LeGrande Bitters, Executive Director, Utah Association of Special Districts  
Roger Tew, Utah League of Cities and Towns  
Rena Cowley, Foxley Pignonelli,  
Alan Bachman, Assistant Attorney General, Division of Purchasing,  
Attorney General's Office

**MOTION:** Sen. Van Tassell moved to replace the bill with 1<sup>st</sup> Sub. S.B. 179. The motion passed unanimously with Sen. Robles and Sen. Shiozawa absent for the vote.

**MOTION:** Sen. Van Tassell moved to amend the bill as follows:

1. *Page 128, Line 3835:*

3835 (b) ~~{Notwithstanding Subsection (1)(a), it}~~ It is not unlawful for a public agency to ~~{make}~~ give, offer, promise, or pledge to give a

The motion passed unanimously with Sen. Robles and Sen. Shiozawa absent for the vote.

Spoke against the bill:

Rich Thorn, President, CEO, Associated General Contractors of Utah
Michael Smith, Executive Director, American Council of Engineering Companies, Utah
Craig Peterson, American Council of Engineering Companies

**MOTION:** Sen. Van Tassell moved to the next item on the agenda. The motion passed unanimously.

The sponsor requested to speak to the bill.

Sen. Jenkins spoke to the bill.

At the Chairs request Rich Thorn, President, Chief Executive Officer, Associated General Contractors of Utah, spoke to the bill.

**MOTION:** Sen. Thatcher moved to pass the bill out favorably. Roll Call Vote. The motion passed with Sen. Dayton and Sen. Robles voting in opposition.

**MOTION:** Sen. Van Tassell moved to approve the minutes of the February 25, 2014 meeting.  
The motion passed unanimously

**S.J.R. 15**     **Joint Resolution on Political Parties and Their Candidates** (*Sen. Jenkins*)

**MOTION:** Sen. Van Tassell moved to replace the bill with 1<sup>st</sup> Sub. S.J.R. 15. The motion passed unanimously.

Sen. Jenkins explained the bill to the committee.

Spoke for the bill: James Humphreys, Media Public Relations, Protect Our Neighborhood Elections  
Skylor Burnside, Member, Utah First Political Issues Committee  
Dalane England, Utah Eagle Forum  
Fred Cox, Citizen  
Lynda Pipken, Citizen

Spoke against the bill: Jenn Gonelly, President, League of Women Voters

**MOTION:** Sen. Thatcher moved to pass the bill out favorably. The motion passed with Sen. Robles voting in opposition.

**1<sup>st</sup> Sub. H.B. 220 Land Use Amendments (G. Frorer)**

**MOTION:** Sen. Van Tassell moved to amend the bill as follows:

1. *Page 1, Lines 19 through 21:*

19 {~~requires a municipality and a county, if enacting an ordinance that imposes~~  
~~a stricter~~  
~~20 requirement or higher standard than is required by the land use chapters in state~~  
~~21 statute, to justify the stricter requirement or higher standard;~~}

2. *Page 2, Line 34:*

34 {~~10-9a-104, as last amended by Laws of Utah 2013, Chapter 309~~}

3. *Page 2, Line 39:*

39 {~~17-27a-104, as last amended by Laws of Utah 2013, Chapter 309~~}

4. *Page 12, Line 363 through Page 13, Line 384:*

363 {~~Section 2. Section 10-9a-104 is amended to read:~~  
~~364 10-9a-104. Stricter requirements.~~  
~~365 (1) Except as provided in Subsection (2), a municipality may enact an ordinance~~  
~~366 imposing a stricter [requirements] requirement or higher [standards] standard than~~  
~~[are] is~~  
~~367 required by this chapter[.], if the municipality:~~  
~~368 (a) prepares in writing a justification of why imposing a stricter requirement or~~  
~~higher~~  
~~369 standard is necessary;~~  
~~370 (b) includes the written justification under Subsection (1)(a) with each~~  
~~publication of~~  
~~371 the proposed or adopted ordinance being justified; and~~  
~~372 (c) holds a public hearing on the written justification under Subsection (1)(a)~~  
~~373 concurrent with the public hearing on the ordinance being justified;~~  
~~374 (2) A municipality may not impose stricter requirements or higher standards~~  
~~than are~~  
~~375 required by:~~  
~~376 (a) Section 10-9a-305; and~~  
~~377 (b) Section 10-9a-514.~~  
~~378 (3) Before January 1, 2015, a municipality shall, for each ordinance in effect on~~  
May

~~379 13, 2014, that imposes a stricter requirement or higher standard than is required by~~  
~~380 this chapter;~~  
~~381 (a) prepare in writing a justification of why a stricter requirement or higher~~  
~~382 standard is~~  
~~383 necessary; and~~  
~~384 (b) include the written justification under Subsection (3)(a) with the ordinance~~  
~~385 being~~  
~~386 justified with each publication of the ordinance. }~~

384 Section ~~{3}~~ 2 . Section **10-9a-509** is amended to read:

5. *Page 17, Line 494:*

494 Section ~~{4}~~ 3 . Section **10-9a-608** is amended to read:

6. *Page 19, Line 565:*

565 Section ~~{5}~~ 4 . Section **10-9a-609** is amended to read:

7. *Page 20, Line 591:*

591 Section ~~{6}~~ 5 . Section **17-27a-103** is amended to read:

8. *Page 31, Lines 931 through 952:*

~~931 {Section 7. Section 17-27a-104 is amended to read:~~  
~~932 17-27a-104. Stricter requirements.~~  
~~933 (1) Except as provided in Subsection (2), a county may enact an ordinance imposing~~  
~~934 a~~  
~~935 stricter [requirements] requirement or higher [standards] standard than [are] is~~  
~~936 required by this~~  
~~937 chapter[.], if the county:~~  
~~938 (a) prepares in writing a justification of why imposing a stricter requirement or~~  
~~939 higher~~  
~~940 standard is necessary;~~  
~~941 (b) includes the written justification under Subsection (1)(a) with each publication of~~  
~~942 the proposed or adopted ordinance being justified; and~~  
~~943 (c) holds a public hearing on the written justification under Subsection (1)(a)~~  
~~944 concurrent with the public hearing on the ordinance being justified.~~  
~~945 (2) A county may not impose stricter requirements or higher standards than are~~  
~~946 required by:~~  
~~947 (a) Section 17-27a-305; and~~  
~~948 (b) Section 17-27a-513.~~  
~~949 (3) Before January 1, 2015, a county shall, for each ordinance in effect on May 13,~~  
~~950 2014, that imposes a stricter requirement or higher standard than is required by this~~  
~~951 chapter:~~

~~948 (a) prepare in writing a justification of why a stricter requirement or higher~~  
~~949 standard is~~  
~~950 necessary; and~~  
~~951 (b) include the written justification under Subsection (3)(a) with the ordinance being~~  
~~952 justified with each publication of the ordinance.~~  
952 Section {8} 6 . Section **17-27a-508** is amended to read:

9. *Page 35, Line 1061:*

1061 Section {9} 7 . Section **17-27a-608** is amended to read:

10. *Page 37, Line 1133:*

1133 Section {10} 8 . Section **17-27a-609** is amended to read:

The motion passed unanimously.

Rep. Frorer explained the bill to the committee.

**MOTION:** Sen. Van Tassell moved to pass the bill out favorably. The motion passed unanimously.

**1<sup>st</sup> Sub. H. B. 17 Interlocal Act Amendments (J. Anderson)**

Rep. Anderson explained the bill to the committee.

Spoke to the bill: Van Christensen, Audit Director, State Auditor's Office  
Lincoln Shurtz, Utah League of Cities and Towns  
Adam Trupp, Association of Towns

**MOTION:** Sen. Van Tassell moved to pass the bill out favorably. The motion passed unanimously with Sen. Shiozawa absent for the vote.

**H.B. 238 Local Referendum Requirements Amendments (K. Powell)**

Rep. Powell explained the bill to the committee.

**MOTION:** Sen. Van Tassell moved to pass the bill out favorably. The motion passed unanimously.

**H.B. 339      County Budget Amendments (*J. Seelig*)**

Rep. Seelig explained the bill to the committee.

Spoke for the bill:      Jeremy Keele, Senior Advisory, Salt Lake County

**MOTION:**      Sen. Robles moved to pass the bill out favorably. The motion passed with Sen. Thatcher voting in opposition.

**MOTION:**      Sen. Van Tassell moved to adjourn. The motion passed unanimously.

Chair Dayton adjourned the meeting at 6:07 p.m.

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Sen. Margaret Dayton, Chair